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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,982	11/16/2001	Chikashi Satou	110811	8001

25944 7590 01/25/2005

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EXAMINER	
NGUYEN, XUAN LAN T	

ART UNIT	PAPER NUMBER
3683	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/987,982	SATOU ET AL.	
	Examiner	Art Unit	
	Lan Nguyen	3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 November 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,6,10,12,16,19-21,26,27,32 and 33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,6,10,12,16,19-21,26,27,32 and 33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 November 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 6, 10, 12, 16, 19-21, 26 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- The limitation "each range" in claims 1, 12, 19 and 26 is indefinite since there is no further detail of "each range"; and how "each range" is related to the target range.

- It is believed that in claims 1, 12, 19 and 26, the claimed limitation "the portion of the display corresponding to the target range is made to blink until the shift position has reached the shift position for the target range during the first driving method" should be -- the portion of the display corresponding to the target range is made to blink until the shift **means** has reached the shift position for the target range during the first driving method --.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 6, 10, 12, 16, 19-21, 26, 27, 32 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 1,588,880.

Re: claim 1, GB 1,588,880 shows a range shift display unit, as in the present invention, comprising: a target range detecting means 10, display processing means and display 63,73, shift means, shift processing means and shift position detection means 20, 30 wherein page 2, lines 105 to 121 describe that display portion 73 is made to blink, as the first method, when a driver has wished to change gears; and display portion 73 would be lit up continuously, as a second method, when the gears are fully engaged.

Re: claim 6, this claimed feature is inherent in a motor vehicle.

Re: claim 10, GB 1,588,880 shows shift means 20, 30 to be solenoid valves.

Re: claim 12, GB 1,588,880 shows a range shift display method, as in the present invention, comprising: detecting a target range selected by a driver with switch 10; generating a signal, driving a portion of a display 73 by two methods, blinking and lit up continuously; disposing shift means, generating pressure with means 20, 30; display a plurality of portions of display 63, 73; wherein page 2, lines 105 to 121 describe that display portion 73 is made to blink, as the first method, when a driver has wished to change gears; and display portion 73 would be lit up continuously, as a second method, when the gears are fully engaged.

Re: claim 16, this claimed feature is inherent in a motor vehicle.

Re: claim 19, GB 1,588,880 shows a range shift display unit, as in the present invention, comprising: a target range detecting means 10, display processing means and display 63,73, shift means, shift processing means and shift position detection means 20, 30 wherein page 2, lines 105 to 121 describe that display portion 73 is made to blink, as the first method, when a driver has wished to change gears and during the transient ranges while the gears are being changed; and display portion 73 would be lit up continuously, as a second method, when the gears are fully engaged. Note that the duration while the gears are being changed, portion 73 is made to blink. This duration is considered "transient ranges".

Re: claim 20, this claimed feature is inherent in a motor vehicle.

Re: claim 21, GB 1,588,880 shows shift means 20, 30 to be solenoid valves.

Re: claim 26, GB 1,588,880 shows a range shift display method, as in the present invention, comprising: detecting a target range selected by a driver with switch 10; generating a signal, driving a portion of a display 73 by two methods, blinking and lit up continuously; disposing shift means, generating pressure with means 20, 30; display a plurality of portions of display 63, 73; wherein page 2, lines 105 to 121 describe that display portion 73 is made to blink, as the first method, when a driver has wished to change gears and during the transient ranges while the gears are being changed; and display portion 73 would be lit up continuously, as a second method, when the gears are fully engaged. Note that the duration while the gears are being changed, portion 73 is made to blink. This duration is considered "transient ranges".

Re: claim 27, this claimed feature is inherent in a motor vehicle.

Re: claim 32, GB 1,588,880 shows a range shift display unit, as in the present invention, comprising: a controller as shown in the figure, a target range detecting means 10, display processing means and display 63,73, shift means, shift processing means and shift position detection means 20, 30 wherein page 2, lines 105 to 121 describe that display portion 73 is made to blink, as the first method, when a driver has wished to change gears; and display portion 73 would be lit up continuously, as a second method, when the gears are fully engaged.

Re: claim 33, GB 1,588,880 shows a range shift display unit, as in the present invention, comprising: a controller as shown in the figure, a target range detecting means 10, display processing means and display 63,73, shift means, shift processing means and shift position detection means 20, 30 wherein page 2, lines 105 to 121

describe that display portion 73 is made to blink, as the first method, when a driver has wished to change gears and during the transient ranges while the gears are being changed; and display portion 73 would be lit up continuously, as a second method, when the gears are fully engaged. Note that the duration while the gears are being changed, portion 73 is made to blink. This duration is considered "transient ranges".

Response to Arguments

6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is 703-308-8347. The examiner can normally be reached on M-F, 8 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Nguyen
Patent Examiner
Art Unit 3683

Lan Nguyen
1/19/05